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Letter dated 9 March 2007 from the Permanent Representative of Finland to the United Nations addressed to the President of the Security Council

I have the honour to send you the report of the Workshop for Newly Elected and Present Security Council Members, which was held on 29 and 30 November 2006 at Tarrytown House. The final report has been compiled in accordance with the Chatham House Rules under the sole responsibility of the Permanent Mission of Finland.

On the basis of the very positive feedback we received from the participants, the Government of Finland remains committed to sponsoring the workshop as an annual event. The Government of Finland expresses the hope that this report will not only assist in familiarizing newly elected members with the working methods and procedures of the Council, but also contribute to a better understanding among the wider United Nations membership of the complexity of the work of the Council.

I should be grateful, accordingly, if this report could be circulated as a document of the Security Council.

(*Signed*) Kirsti **Lintonen**
Ambassador
Permanent Representative of Finland to the United Nations

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Annex to the letter dated 9 March 2007 from the Permanent Representative of Finland to the United Nations addressed to the President of the Security Council

"Hitting the Ground Running": Fourth Annual Workshop for the Newly Elected Members of the Security Council

29 and 30 November 2006
Tarrytown Conference Center
Tarrytown, New York

The Government of Finland — in cooperation with the Center on International Organization of Columbia University, the Security Council Affairs Division of the United Nations Secretariat, and the United Nations Institute for Training and Research (UNITAR) — convened the fourth annual workshop for the newly elected members of the Security Council on 29 and 30 November 2006.

The annual workshops have served to help familiarize the newly elected members with the practice, procedure and working methods of the Council so that they are in a position to "hit the ground running" when they join the Council the following January. The series has also provided current members of the Council with an opportunity to reflect on their work in an informal setting. The workshops have been designed to complement the annual UNITAR briefings on aspects of the Council's work.

This year, the opening evening featured remarks by Mr. Martti Ahtisaari, former President of Finland. Drawing on his decades of mediation and peacemaking efforts within and outside the United Nations framework, he compared his personal experiences involving the Aceh peace process and the ongoing efforts to determine the future status of Kosovo. The former was facilitated by a non-governmental organization, the Crisis Management Initiative, while the latter is being conducted within the United Nations framework.

The full-day programme on 30 November included five round-table sessions and a working lunch. The round-table sessions focused on the following themes:

I. The role of the Security Council in the maintenance of international peace and security

II. Working methods

III. Security Council committees and working groups

IV. Cooperation with other United Nations organs

V. Broadening inputs and outreach

The working lunch featured a presentation by Ambassador Peter Maurer, Permanent Representative of Switzerland, on working methods reform: implementation and further steps.

Session I
The role of the Security Council in the maintenance of international peace and security

Moderator:

Ambassador Sir Emyr Jones Parry
Permanent Representative of the United Kingdom

Commentators:

Ambassador Ellen Margrethe Løj
Permanent Representative of Denmark

Ambassador Nana Effah-Apenteng
Permanent Representative of Ghana

Opening the session, the moderator drew attention to the Security Council's primary responsibility for the maintenance of international peace and security. He suggested that, while conflict prevention was not the Council's primary focus, it could do more in this regard. This record could be improved upon. Thematic debates in the Council are relevant to international peace and security, particularly in cases where there is a link between a thematic issue and tangible results on the ground, such as United Nations peacekeepers and HIV/AIDS. In his view, the Council should address such matters, even if it is not the only United Nations body that is competent or has an interest in such concerns. The moderator noted that any member could make a contribution to the Council's work by being a lead country on a particular issue before the Council.

Conflict-specific issues

The commentators and several speakers agreed that the Council did not devote enough time to conflict prevention, as the Council would benefit from more strategic discussion of prevention and other cross-cutting issues. Such discussions should, at least, take place from time to time.

It was emphasized that the Council should be prepared to implement its decisions. Since the Council has the authority to take decisions that every Member State must implement, it also bears a responsibility to ensure the timely and practical implementation of its decisions and to assist Member States in this process. The permanent members, according to one speaker, have a special responsibility to ensure the implementation of resolutions. The likelihood that Council decisions will be implemented, cautioned several participants, is directly related to the Council's credibility. Speakers identified several impediments to implementation. In the effort to gain consensus, texts often employ ambiguous and overly general language. The "road of least resistance" in adopting a consensus resolution or statement, remarked one speaker, often leads to problematic implementation. Follow-up work with Member States is therefore usually required to ensure the implementation of Council resolutions. It was observed that the Council is often called upon to make decisions quickly, and therefore its members are not always in a position to reflect on the implementation of resolutions. As some speakers pointed out, the number of areas where Member States are required to submit reports, such as those prescribed by

resolutions 1267 (1999), 1373 (2001) and 1540 (2004), is growing. This trend has imposed a substantial burden on some States and could lead to "reporting fatigue".

One participant noted that the nature of threats to international peace and security has evolved substantially, suggesting that the Council should adjust its work accordingly. Although the 2004 report of the High Level Panel on Threats, Challenges and Change addressed this phenomenon, the Council has not taken time to discuss the implications.

The process of putting an item on the agenda of the Council is difficult to define, observed one speaker. High politics and lobbying frequently take place behind the scenes in order that a given country situation not be included on the agenda, with the issues of Myanmar, northern Uganda and Zimbabwe cited as examples. Council members, it was noted, often disagree — or are ambivalent — about which situations constitute a "threat to international peace and security" in a particular region.

Thematic issues

It was observed that some Council members do not care for thematic debates, and that many in the wider United Nations membership are of the view that such debates encroach on the prerogatives of the General Assembly. In convening thematic debates, the Council appears to be gravitating to other areas by default and without a strategic approach. Nevertheless, it is crucial to take up those thematic debates in the Council that pertain to the maintenance of international peace and security and that lead to concrete Council action and follow-up. The latter, however, is often lacking and discussion for the sake of discussion is unhelpful.

One speaker drew particular attention to the value of the thematic debate on regional organizations. Working with such groups could benefit the Council and the United Nations as a whole, since such organizations know more about their respective regions. Another participant cited the thematic debate on the Great Lakes region, at the conclusion of which the Council adopted resolution 1653 (2006). Prior to that debate, a concept paper was circulated to all Council members and the sponsor consulted with the permanent and elected members on the draft text, a process that resulted in a good resolution. Such an approach could and should be replicated.

Another speaker stated that, while the maintenance of international peace and security is mainly within the purview of the Council, the General Assembly has a role to play as well. The Council should draw from the discussions and wisdom of the General Assembly, as well as of the Economic and Social Council. It was also observed that many Member States believe that the Council is overly protective of its agenda and seeks to shield its work from the scrutiny of other United Nations bodies. There is a perception among Member States at large that their views, as expressed in the Council's open debates, are not being used by the Council as a source on which to draw in its decision-making process. One participant proposed that non-Council members speak prior to Council members in open debates so that the former's contributions could be considered in decision-making. Another participant contended that such an approach would have little practical effect on the outcome of the deliberations, though it could be beneficial in terms of appearances. Open debates, a participant suggested, are often a waste of the Council's time. A case in point is the monthly debate on the Middle East, in which the same views are

often "recycled". Other participants, however, stressed the value of the monthly discussion of the Middle East issue.

Lead countries

It was observed that elected members often find it hard to exert leadership on specific issues once they begin their terms. Another speaker recalled that it was proposed at the 2005 "Hitting the Ground Running" Workshop that one permanent member and one elected member share the lead on a given item on the Council's agenda. This would help ensure the consistency of the Council's work. Three of the five permanent members, it was noted, are the lead countries on the bulk of the active items on the Council's agenda.

The elected members, it was suggested, should be given a larger voice on country-specific issues. At times, elected members are brought into the resolution drafting process only at a late stage. The various Groups of Friends could provide a way to involve the wider United Nations membership in the Council's decision-making process. On the other hand, it was argued that there are sensitive cases, such as non-proliferation regarding the Democratic People's Republic of Korea and the Islamic Republic of Iran, on which agreement among permanent members must precede consensus among all 15 members. It was noted that, since the adoption of the resolution on the Democratic People's Republic of Korea (resolution 1718 (2006)), the permanent members have sought to involve the elected members in a more active fashion. At the same time, when an issue is extremely contentious, it is best to begin with a smaller group and then to move towards a larger one.

Nevertheless, speakers emphasized the need to regularly update the elected members on the progress of negotiations among the permanent members. Several non-permanent members expressed frustration at being unable to inform their capitals about what is happening in the Council when a particular issue is being discussed privately among the permanent members. It was noted, however, that any member could ask the Council President to request that the permanent members provide an update to the Council membership as a whole. At the same time, it was understood that the non-permanent members should treat such information with discretion.

It was also suggested that other stakeholders be involved in discussions on the Islamic Republic of Iran (in which the permanent members and Germany — a non-Council member — were negotiating a draft resolution). Other countries, it was noted, have economic relations with Iran, as well as concerns about non-proliferation. The lack of involvement of other stakeholders could affect the implementation of resolutions. Permanent and elected members alike, it was underscored, have an interest in addressing the progressive erosion of compliance with Council resolutions and, ultimately, of its credibility.

Session II
Working methods

Moderator:

Ambassador Kenzo Oshima
Permanent Representative of Japan

Commentators:

Ambassador Igor Shcherbak
First Deputy Permanent Representative of the Russian Federation

Mr. Michal Mlynár
Deputy Permanent Representative of Slovakia

The session addressed several aspects of Security Council working methods: (i) responsibilities of the President; (ii) the role of political coordinators; (iii) the implementation of the note by the President (S/2006/507) (hereinafter note by the President); and (iv) the review of mandates.

It was widely recognized that there has been an encouraging and significant evolution of the Council's working methods in recent years. In this regard, the work undertaken by the Informal Working Group on Documentation and Other Procedural Questions, which led to the adoption of the note by the President, was widely acknowledged. According to the moderator, the extended term of office of the Working Group's Chair (now 12 months) has permitted substantial improvements of the Council's working methods, as requested by the 2005 World Summit Outcome General Assembly resolution (60/1).

Responsibilities of the President

While each President has his or her own style, the moderator underlined three core responsibilities of the President: administering the monthly work programme; chairing the Council's meetings and informal consultations and guiding its deliberations; and facilitating agreement among members and maintaining the unity of the Council.

In addition to those functions, the President has assumed an increasing role as the Council's spokesperson. For incoming members, it was noted, the appointment of a press officer to establish and maintain contacts with the press and the Secretary-General's Spokesman's Office would be of value. One speaker suggested that particular attention be paid to distinguishing between those remarks to the press made in a national capacity and those made as President of the Council. One participant asked whether a longer term for the Council's presidency had ever been considered.

Role of political coordinators

There was general agreement that the political coordinators play a particularly vital function in the daily business of the Council by acting as a network for information-sharing and negotiation. Their role in agenda-handling and time management is also critical. For example, on the day before informal consultations are to be held, they usually suggest a few areas on which Council members and the

Secretariat might focus. Many issues, it was observed, can be handled by the political coordinators without requiring the attention of the ambassadors. Another participant emphasized the role recently played by political coordinators in setting the agenda for Council missions. Due to the critical and sensitive nature of the tasks performed, it was suggested that individual delegations appoint a senior official to this role.

Implementation of the note by the President (S/2006/507)

In his remarks, the moderator recalled that the note by the President, while combining developments in Council working methods since 1993 with newly agreed measures, offered a number of significant innovations as well. Among them, he cited those provisions that aim to make the Council more strategic in its deliberations and those facilitating greater transparency and opportunities for non-members to exercise direct or indirect influence.

The moderator remarked that the note by the President, although representing a meaningful and pragmatic first step by the Council in the direction of improving its working methods, constituted a rather "modest" achievement. He added that room for further improvement was possible and desirable. Other speakers underlined the value of these measures, while acknowledging that the key challenge for the Council at this point is the implementation of the note by the President.

Several speakers focused their interventions on concrete issues addressed by the note by the President that could bring about a substantive improvement in the Council's working methods. Among those highlighted by the participants are closer cooperation with troop-contributing countries, improved linkage with other United Nations organs, enhanced efficiency of information-sharing during crisis situations, easier access to information concerning the Council's work, and increased consultation with concerned/interested countries in the process of drafting resolutions, presidential statements and press statements. In addition, one commentator pointed out that the note by the President did not address, particularly in its practical terms, the policy guidance from the Council to the Secretary-General.

Several speakers complained about the tendency for members to read prepared and lengthy speeches, even in informal consultations, thus limiting the scope for more interactive and strategic discussions. Speakers also called for the elimination of unnecessary interventions during consultations. Sometimes it appears that a country has little to say, but seeks to avoid conveying the impression that it has no interest in the subject at hand. It was suggested that members exercise discipline to limit the length and frequency of their interventions. Another participant suggested that, given the increasing complexity of the Council's agenda, consideration be given to the idea of holding "full-day" sessions of the Council, combining different agenda items.

With regard to the Council's agenda, several participants agreed that the introduction of new items should be dealt with in a more transparent manner. One participant stated that the inclusion of new items on the Council's agenda should be preceded by an assessment of motives. Similarly, recognizing the sensitivity and importance of issues raised under "Other matters", one speaker called for the establishment of a system of prior notification. Furthermore, it was suggested that urgent issues be dealt with under a no objection/silence procedure by the Presidency or by the lead country.

There was discussion of the merits of appointing a spokesperson for the Council who would be charged with briefing the press and non-members on the Council's work. Some speakers viewed this proposal favourably, while others argued that this would mean delegating functions of the Council President to the Secretariat. If the Council were to appoint a spokesperson, one speaker observed, members would have to exercise discipline in talking to the press to ensure that the appointed spokesperson would in fact speak for the Council as a whole. Other participants underscored the importance of maintaining a "gentlemen's agreement" not to reveal certain details of Council discussions to the press.

In his concluding remarks, the moderator outlined three distinct ways to facilitate the implementation of the note by the President. First, each member of the Council, including the newly elected members, should be aware of the provisions contained in the note by the President. Second, each delegation should ensure that, when serving as President of the Council, it exercised its authority and guidance to implement the note by the President to the fullest extent possible. Finally, the Council's Informal Working Group on Documentation and Other Procedural Questions could act as a "guardian", drawing the attention of members to better ways of implementing the note by the President.

Review of mandates

One of the commentators briefly referred to the work undertaken since June 2006 by the Security Council's Ad Hoc Committee on Mandate Review. It was noted that the Co-chairmanship system had been a responsive and effective mechanism. In accordance with the World Summit Outcome, which called for a review of all mandates older than five years, the Committee aimed at streamlining and rationalizing a number of mandates issued by the Council by employing a wider and more holistic approach. The commentator cited the usefulness of the rounds of briefings from the Secretariat in June 2006 and of an open meeting on the mandate of the Special Representative of the Secretary-General for the Great Lakes Region, organized during October 2006. With regard to the latter, he emphasized that it constituted a test case of a format that should be used again in the future, as it allowed the participation of non-members of the Council from the African region. As a way forward, the commentator reported that the Committee intended to continue hearing briefings from the Secretariat on a biannual basis and to hold more strategic debates, with a special focus on what the United Nations is doing in different subregions, such as in West Africa.

Session III
Security Council committees and working groups

Moderator:

Ambassador Adamantios Th. Vassilakis
Permanent Representative of Greece

Commentators:

Mr. Mutlaq Majid Al-Qahtani
Minister, Permanent Mission of Qatar to the United Nations

Ambassador César Mayoral
Permanent Representative of Argentina

Ambassador Pascal Gayama
Deputy Permanent Representative of the Republic of the Congo

For the benefit of those incoming Council members that had expressed an interest in the chairmanships of Council subsidiary bodies, the moderator pointed out that those positions are agreed upon by Council members. The number of Council committees and working groups has grown in recent times and now totals 28. It is important to reach agreement, he continued, on the procedures of the respective sanctions committees, the Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire being an example. Concerning the draft procedures for the Informal Working Group on General Issues of Sanctions, there are currently one or two delegations that have yet to agree on the text. However, it is hoped that the draft document will be agreed upon in the next few weeks.

Sanctions issues, including listing and de-listing, working with expert groups, and field missions by chairs

One speaker observed that sanctions are arguably the only effective tool available to the Council. The same speaker emphasized that the political nature of decisions on targeted sanctions should not lead the Council to avoid the serious questions of judicial due process raised by sanctions. In his view, unless sanctions regimes become more transparent and effective, their integrity, and that of the Council, could be undermined. According to this participant, the most disturbing feature of the sanctions regimes are the procedures for listing and de-listing of individuals on the consolidated lists, particularly the list of the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban. The 2005 World Summit Outcome, he reminded the group, called on the Council and the Secretariat to ensure fair procedures for those persons on the lists of the sanctions committees, as well as for allowing humanitarian exemptions.

The same speaker drew attention to legal challenges in the European Court of Justice and in national courts of a Member State to the inclusion of individuals on the lists of Council sanctions committees. The Council should avoid the filing of such challenges by national, regional and international judicial bodies, he advised, since this could eventually lead to the collapse of Council sanctions regimes. The process of listing and de-listing needed to be made more transparent, although, in the view of the speaker, some Council members are attempting to hijack the efforts to resolve this problem.

Another participant pointed out that a proposal is under consideration for the establishment of a focal point comprising an independent group of persons who could submit recommendations to the Council based upon requests received from listed individuals. Council members were urged to reconsider their position on that proposal, which had the support of all except one member. The lack of due process and of transparency, the retention of names of deceased persons that prevented their heirs from receiving their inheritances, and the prevention of individuals from exercising their religious rights would all undermine the credibility of the Council. One speaker drew attention to an individual on the sanctions Committee list, which identified him as coming from a certain country and being between the ages of 32 and 35. However, there were thousands of individuals in that particular country with

that name and matching that age range. This had, for instance, led to the detention of individuals in Europe who had nothing to do with terrorism. Nationals of some countries who worked abroad were also unable to transfer money back to their home countries. In this respect, another speaker noted that the sanctions Committee's listing procedures require that a number of elements of information be provided prior to a person being listed. These include their name, aliases and names of family members. In addition, a recent revision of the procedure requires a Committee member seeking to list an individual first to ask the Government of that individual's home country for additional information.

The problems concerning the sanctions Committee list could only be understood, it was observed, in context. The nature and urgency of the threat being addressed and the historical circumstances should be taken into account. In that connection, it was said that one Council member had made a lot of effort to put individuals on the list, notably the travel ban list. In addition, the names of Al-Qaida and Taliban members are often difficult to deal with as some names are shared by a large number of persons and many individuals have nicknames. There are currently 450 individuals listed on the sanctions Committee list, and over the last two years much effort has gone into improving it. In that connection, and in addition to the proposal under consideration referred to above, two permanent members have presented another proposal for reforming the de-listing process. While the two proposals are at variance, it is crucial to remember that the sanctions committees work by consensus. One speaker queried whether it is fair that de-listing could only occur by consensus. Reference was made to another proposal whereby there would be two separate lists, one compiling the names of Al-Qaida members, the other of Taliban members, to facilitate communication with some former members of the Taliban.

How, it was asked, can the Council ensure that the information it receives on individuals to be listed is as credible as possible? There is a need for quality control, so that the Council can be as confident as possible that the information is correct, since the lives of listed individuals are so drastically affected. It is not enough for one country simply to inform the Council that a given individual should be listed. One speaker clarified that decisions on including names on the sanctions committees' lists are made by consensus. In this regard, it was emphasized that if a Council member has reservations on a particular listing, it should have the courage to say so. Another speaker expressed concern that the tone of the current discussion could discourage incoming Council members from taking on these important chairmanships. The Council needs to act quickly on listing individuals, before they know they are likely to be listed, it was pointed out. Otherwise, for instance, they could transfer funds electronically while they are still able to do so. According to one participant, the Council has the dual task of defending the human rights of both listed individuals and victims of terrorism. It was recalled that the issue of listing and de-listing was discussed at the most recent Council retreat with the Secretary-General (2 and 3 June 2006).

Working Group concerns

The session also addressed the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, a region that accounts for more than 60 per cent of the Council's agenda and whose development has been hindered by a series of conflicts. According to one of the commentators, the Working Group has focused on

operational prevention, leading to the adoption of resolution 1625 (2005). That resolution gives concrete expression to the Council's desire to promote a culture of prevention of armed conflict in order to foster the stability that is a prerequisite for sustainable development. The Working Group's reports have noted that all too often the emphasis is on the reaction to conflicts, to the detriment of their prevention. The reports have also stressed that a comprehensive approach is needed to the serious crises affecting the stability of Africa. Above all, the reports have underlined the need for the Council to participate actively in conflict prevention, including through early inquiries into situations that might threaten international peace and security. Prevention issues cannot be addressed by sanctions and peacekeeping operations alone. The Working Group seeks to strengthen the prevention capacity of regional and subregional organizations. In this context, it is working with the African Union on a 10-year capacity-building programme. In a commentator's view, consideration also should be given to allowing non-members of the Council to participate in informal consultations and to facilitating the Council's interactions with civil society.

Working lunch: Working method reforms: implementation and further steps

Moderator:

Ambassador Kirsti Lintonen
Permanent Representative of Finland

Remarks by:

Ambassador Peter Maurer
Permanent Representative of Switzerland

In his opening remarks, Ambassador Maurer recalled that in November 2005, Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland sponsored a General Assembly draft resolution entitled "Improving the working methods of the Security Council". The draft resolution, referred to as the "S-5 draft" (A/60/L.49), drew on the experiences of the five co-sponsors in dealing with the Council over the years. The draft urged the Council to adapt its working methods to permit greater transparency, better input into its work from the membership at large, and more interaction between the Council and the General Assembly. In his view, the draft resolution has helped to put working methods on the radar screen and to raise awareness of the issue within and outside the Council. He also acknowledged the work undertaken by the Informal Working Group on Documentation and Other Procedural Questions and the adoption of the note by the President (S/2006/507). While paying tribute to the will of the Council to reach out to Member States and to make the Council's work more transparent, he noted that the level of ambition, on the whole, could have been higher.

The debate about Council expansion, Ambassador Maurer argued, should also be about the Council's working methods, since the large majority of the United Nations membership can never be more than temporary members of the Council. A number of measures proposed in the S-5 resolution were not or were only partially addressed by the note by the President. The Ambassador underlined that his goal is not to over-bureaucratize the work of the Council but to see the Council develop some standard procedures to make its work more transparent, efficient and effective,

since the Council will only be able to maintain its high standing if it is perceived by the wider United Nations membership as open and accountable.

Ambassador Maurer flagged the following issues: (i) more transparency by sanctions committees and expert/monitoring groups and increased clarity about what constitutes due process with regard to the listing and de-listing of individuals targeted by sanctions; (ii) expanded informal consultations with troop-contributing countries when mandates of United Nations missions are extended or reviewed; (iii) improved interaction with other Member States to better monitor and implement Council decisions; (iv) voluntary restriction of the veto in cases of genocide and crimes against humanity; and (v) explanation of the veto. Among other concerns, the Ambassador noted that the level of information from the Council did not allow non-Council members to respond adequately to requests from their national parliaments for more detailed information on peacekeeping operations. In conclusion, he posited that increased engagement with Member States would give the Council greater leverage and legitimacy, while ensuring better implementation of its decisions, including on sanctions and peacekeeping operations.

In the discussion that followed, different views were expressed on the form that the process of consultation and information-sharing with non-members should take. A number of participants noted that further thought should be given to how to better convey information to interested Member States without excessively formalizing the process. Some speakers advocated a more institutionalized system, such as faxing press statements to non-Council members as well as posting them on the Council website. One speaker noted that, at this stage, the Council should focus mainly on the implementation of the note by the President and avoid innovation for its own sake.

Session IV
Cooperation with other United Nations organs

Moderator:

Ambassador Augustine P. Mahiga
Permanent Representative of the United Republic of Tanzania

Commentator:

Ambassador Jackie Wolcott Sanders
Alternate Representative for Special Political Affairs of the United States

General Assembly

According to the moderator, further engagement between the Council and the General Assembly could provide an opportunity to enhance the effectiveness of both bodies. The overlap in the agendas of the Assembly and the Council is growing. If, as the former Permanent Representative of Singapore put it, the Council is "sucking the oxygen" out of the General Assembly, then the respective roles of the Assembly as the deliberative body and the Council as the executive organ need to be reasserted. While the moderator saw value in the Council's thematic debates, he cautioned that there were potential areas of overlap that should be identified. Complaining about encroachment, however, is not enough. There should be a

stronger focus on the positive aspects of cooperation, such as enhancing the implementation of resolutions, and on improving the Assembly's working methods as well.

The focus of the Council's cooperation and coordination with other United Nations bodies, noted the commentator, should be on practical measures, addressed on a case-by-case basis. Deliberations on the revitalization of the General Assembly have focused too much on other bodies and too little on the Assembly itself. If the Council has encroached on the Assembly, the area of encroachment has not been large, nor has it been done purposefully. The overstretched Council is not looking for additional work, but if the Council does not address some of these issues, who will? The commentator also cautioned against the imposition of overarching principles for coordination and cooperation, a point that was supported by others. In terms of how to proceed, the speaker counselled following the Charter, a practice that has always worked. Occasional meetings among the Presidents of the Council, the Assembly and the Economic and Social Council could facilitate communication, but they should be convened for a specific purpose.

Other participants stressed the potential advantages of increased interaction among the Presidents of the Council, the Assembly and the Economic and Social Council. These would include the symbolic value of having the three Presidents coming together as a step towards building a culture of cooperation and breaking down artificial turf barriers and mutual suspicions. Such a step would also open windows of opportunity, whether for the working methods of the Council's working groups or for interactions with troop-contributing countries.

The process of selecting the new Secretary-General in 2006 was cited as one of the unsung successes of the Council's cooperation with the General Assembly. There were no vetoes of the candidacy, the appointment was made by acclamation in both the Council and the General Assembly, and the process had concluded almost three months before the end of the year with little animosity. The selection process of the Secretary-General is a good example of the Council assuming its responsibility under the Charter and working with the General Assembly. One speaker recalled, however, that some members of the General Assembly asked the Council to propose two or three candidates for the post of Secretary-General for its consideration, but in the end the Council proposed only one candidate.

It was recalled that, while there was some controversy surrounding the inclusion of two peacekeeping-related debates on the Council's agenda (on procurement and sexual exploitation and abuse, respectively), the Council did not seek to prevent the General Assembly from taking action on those issues. It was suggested that, in terms of thematic debates, the Council could give the General Assembly the first option to tackle such issues. If the latter fails to do so, then the Council could debate the issue free of concerns about encroachment. Also, the Council itself establishes peacekeeping operations in its resolutions and therefore has an interest in addressing those questions. Nor does the Council prevent the wider United Nations membership from taking the floor and expressing their views at such meetings. It was suggested that, when the Council discusses issues that are of a delicate nature, the President of the General Assembly could be invited to be a part of the debate. One participant, while unclear of what the practical result of such participation would be, underlined that the Council does not purposefully look to

exclude the General Assembly. The Council has its specific authority under the Charter of which it is cognizant of and which it wants to protect.

In more conceptual terms, one speaker suggested two ways to approach the encroachment issue. The first would be to assign each topic to one of the two organs. The speaker cautioned that such a clear delineation would be outdated, because the security, development and human rights agendas are highly interrelated. Therefore, the speaker pleaded for a functional approach instead, with the Assembly called upon to legislate and the Council to act as a crisis manager.

Economic and Social Council

The moderator noted that there is much debate in the Economic and Social Council on how cooperation could be enhanced with the Council, particularly in the area of peacekeeping operations. Integrated missions are increasingly being deployed with a broad spectrum of tasks that include military, social, humanitarian and economic aspects. When the Council is considering peace operations with integrated mandates of this sort, greater cooperation with the Economic and Social Council might be considered during the planning and development phases before forces are deployed. It was noted that some Economic and Social Council members do not support a strong relationship with the Council, and that many Council members do not espouse such a relationship with the Economic and Social Council. A number of speakers emphasized that countries emerging from conflict will always have to deal with security-related issues, as well as with economic and development questions.

Secretariat

The moderator suggested that the Secretariat take a more technical and proactive role in synchronizing the resolutions of the Council, the General Assembly and the Economic and Social Council, which would allow for further coordination of the work of the three bodies. Moreover, the Secretariat could identify areas where the Security Council and the General Assembly might engage in more of a dialogue during the implementation process. The mandate review process offers an opportunity for the Council to hear from the Secretariat, it was pointed out, and could provide the basis for greater reform in the Secretariat as well as in the General Assembly. In February 2006, the Council sought to increase dialogue with the Secretariat through daily briefings from the Secretariat in informal consultations. While this practice has not taken hold in the Council, similar options should be considered in the future, it was argued. In addition to regular mandated reports, a more direct and regular dialogue would give Council members a better idea of the scope of the Secretariat's activities.

Peacebuilding Commission

The moderator recalled that the Peacebuilding Commission was established through joint resolutions of the Council and the Assembly. As the only major body including representatives of the Council, the Assembly and the Economic and Social Council, the Peacebuilding Commission could represent a model of how coherence and coordination among the major organs of the United Nations system could be strengthened. It also constitutes a valuable tool for enhanced cooperation between the Economic and Social Council and the Security Council. For one speaker,

however, it remained unclear whether the Peacebuilding Commission would promote coherence or undermine other efforts that are under way. A second participant questioned whether a country-specific scope is the best option, suggesting that the tasks of the Peacebuilding Commission be defined in a broader context. A third contended that the Peacebuilding Commission should be more focused on the field. And a fourth speaker cautioned that the apprehensions of the wider membership about giving permanent seats in the Commission to the permanent members of the Council have not yet subsided. The role of the Peacebuilding Commission, it was contended, should be facilitated by the Council, since otherwise its agenda could be "hijacked" by other United Nations agencies and programmes, such as UNDP.

Human Rights Council

One speaker warned that the Human Rights Council could turn out to be worse than its predecessor and it is possible that the Council will have to take up some human rights issues as a result. Should that occur, addressing issues related to human rights in the Security Council would not be a matter of encroachment upon the Human Rights Council, but rather an attempt to effectively address such issues. Another speaker countered that, while the Human Rights Council is going through a difficult formative period, human rights issues do not belong in the Security Council unless issues of international peace and security are at stake.

Session V
Broadening inputs and outreach

Moderator:

Ambassador Jean-Marc de La Sablière
Permanent Representative of France

Commentators:

Ambassador Liu Zhenmin
Deputy Permanent Representative of China

Ambassador Jorge Voto-Bernales
Permanent Representative of Peru

Opening the session, the moderator outlined four topics for discussion: (i) Security Council missions; (ii) the wider United Nations membership; (iii) agencies, experts and NGOs; and (iv) media. One of the commentators emphasized that consensus-building and enhanced communication with other Member States would enhance the legitimacy and accountability of the Council. In the ensuing discussion, considerable attention was devoted to how the Council could broaden inputs into its deliberative processes and enhance its public outreach. On the matter of involving other Member States and of reaching out to agencies, experts and NGOs, several speakers commented that, while there have been a number of steps in this direction, the Council could do more to ensure transparency and inclusiveness in all the phases of its deliberations.

Security Council missions

The moderator acknowledged the important role that Council missions have played in recent years. Decisions have to be made, however, about the level, the participation and the preparation of missions. Should every Council member participate in every mission? At what level should they be represented? How should the preparatory work in the run-up to a Council mission be undertaken?

The commentators and a number of participants concurred that Council missions offer a valuable opportunity for directly gathering information on the ground, for having an exchange of views with local stakeholders, and for underlining messages from the Council. One speaker commented that Council missions should remain informal in their nature, so as to ease acceptance by the host State and to facilitate the attainment of first-hand information.

Prior to departure, a participant underscored, the decision on terms of reference is critical in defining the content and agenda of the mission and in providing a guiding document for the participants. In this regard, there is a premium on group discipline in order to deliver a consistent and coherent message to the parties. On the composition, several participants pointed out that a standard formula could not be applied to all Council missions. The moderator stated that participation at the permanent representative or deputy permanent representative level is generally preferred.

Wider United Nations membership

The moderator underlined the importance of finding practical ways of associating the wider United Nations membership with the Council's work. In their remarks, the commentators highlighted the value of holding open debates and public meetings as significant opportunities for non-members of the Council to express their views and to address the Council.

When drafting resolutions, presidential statements and press statements, the Council could usefully involve Member States, including countries directly involved or specifically affected (with the exception of those subject to the imposition of sanctions), as well as neighbouring countries, noted several speakers. As one participant cautioned, however, these consultations should retain a very informal nature. Extending cooperation with regional organizations and Groups of Friends was seen as another tool at the Council's disposal to improve transparency and inclusiveness in its decision-making process. Africa and the Middle East were cited as two good examples. Moreover, as one of the commentators stressed, briefings and consultations by Security Council members with their respective regional groups can further enhance the transparency of the Council's work.

Turning to peacekeeping, a number of participants observed that, while the Council has regularized its interactions with troop-contributing countries through resolution 1353 (2001) procedures, the results have been somewhat limited, as those meetings have often proved to be formalistic rather than interactive. The Council should look at ways of enhancing consultations with troop contributors and stakeholders. In this connection, the Working Group on Peacekeeping Operations should engage as wide a participation from the larger membership as possible. Its practice of inviting stakeholders, such as financial contributors, as well as troop-contributing countries, to a number of its meetings was held to be extremely

valuable by two participants. Moreover, given the recent increase in peacekeeping missions and the corresponding rise in budgetary requirements, a number of Member States are facing requests for supplementary information from their respective national parliaments. It could become difficult, cautioned a participant, for non-Council members to keep up increasing payment requirements if access to information from the Security Council is not improved, and the Working Group could be helpful in this regard.

Agencies, experts and non-governmental organizations

Though participants underscored that the first priority is for the Council to listen and respond to the concerns of Member States, it should heed those of civil society and non-governmental actors as well. In recent years, Council members have increased their contacts with NGOs on a bilateral and informal basis. One commentator highlighted the importance of promoting contact with civil society organizations because, due to their human rights expertise and humanitarian action on the ground, their knowledge could be very relevant to the Council's work.

According to several speakers, the "Arria-formula" meetings over the past decade have helped to give the Council access to substantive inputs from non-governmental sources. Two speakers urged, however, that access to experts and NGOs be organized on a case-by-case basis, without establishing any formal rules of procedure. Emphasizing that "Arria-formula" meetings could entail the participation of non-members of the Council as well as NGOs, one participant called on Council members to offer a broad endorsement of those meetings. Another speaker added that the inputs collected during these meetings could be particularly helpful when the Council is preparing for open debates on thematic issues. At the same time, a third speaker pointed out that "Arria-formula" meetings have sometimes failed to create a value added.

Media

Though a number of speakers asserted that the Council should encourage more transparency, they also acknowledged that there were times when it is necessary to try to impose greater discipline on the flow of information to better ensure confidentiality and to discourage fissures within the Council. The President of the Council plays a very important and delicate role in presenting agreed positions to the media and in reporting about the failure to reach an agreement, without naming the dissenting States. Yet it was noted that the press does not wait for the President's statement when they can obtain fuller information from the interested parties, which seek to put their own version on the story. For the sake of building confidence among the Security Council members, it may be necessary to arrive at a consensus about what information is to be communicated to the media. Accordingly, the Council should devote attention to the information that individual members, when speaking in their national capacity, convey to the press concerning discussions and deliberations that take place in informal consultations.

There were differences of view concerning whether the Council should appoint a spokesperson who could, when dealing with the press, speak on behalf of the President in communicating the Council's position on specific issues. Some speakers remarked that this would help the Council, and in particular the President, to better present the Council's activities on behalf of its 15 members. Others,

however, expressed reservations regarding this proposal. In their view, addressing the press is a crucial element of the Presidency's tasks, and the President should be able to exercise his/her discretion in highlighting the main developments without disclosing differences and with the aim of maintaining the Council's unity.